

MARICOPA COUNTY COMMISSION ON TRIAL COURT APPOINTMENTS

MINUTES

July 25, 2018

PRESENT: Justice Ann A. Scott Timmer, Chair; Barry Aarons; Jason Barraza; Peggy Baze; Shawn Cox; Jessica Everett-Garcia; Leonard Gilroy; Walt Opaska; Steve Perica; Amanda Reeve; Paul Senseman and Stephen Silverman

ABSENT: Rene Guillen and Warde Nichols

Justice Ann Scott Timmer called the meeting to order at 8:02 a.m.

Introductions

Justice Timmer introduced herself, welcomed the Commission members and the public present. She explained the purpose of the meeting is to interview for the positions created by the retirement of Judges Aimee Anderson and Peter Reinstein.

Public Comment

Justice Timmer asked for public comment on the candidates that will be interviewed for the Maricopa County vacancies. She reminded the speakers that they are limited to two minutes each and asked them not to repeat comments by previous speakers about the same candidate.

Howard Sukenic spoke on behalf of Cassie Bray Woo.

Mark White spoke on behalf of Julie Mata.

Josephine Giordano spoke on behalf of Melissa Iyer Julian.

Gregg Clarke Gibbons spoke on behalf of David Garbarino and David Horowitz.

Matthew Sloan spoke on behalf of Aryeh Schwartz.

Beth Alexander spoke on behalf of Julie Mata.

Leslie Wickens spoke on behalf of Nicole Brickner.

Gary Beren spoke on behalf of Sigmund Popko.

Theodore Campagnolo spoke on behalf of Adele Ponce.

Jon Paladini spoke on behalf of Scott Blaney.

Zuleika Freyre spoke on behalf of Scott Blaney.

Approval of Minutes

Justice Timmer asked if any member wished to submit changes or additions to the draft minutes of the June 14, 2018 meeting. It was moved that the minutes be approved as corrected. The motion was seconded and passed unanimously.

Disqualifications and Disclosures

Justice Timmer asked the Commission if there were additional disqualifications or disclosures since the screening meeting on June 14, 2018, pursuant to the Commission's rules regarding conflict of interest of bias.

Peggy Baze reminded the Commission she is recused from voting on Annielaurie Van Wie.

Shawn Cox reminded the Commission she is recused from voting on Joseph Kiefer.

Paul Senseman disclosed that he met with Scott Blaney and Adele Ponce regarding the application process prior to the vacancies' closing date.

Steve Perica disclosed that he met with Adele Ponce regarding the application process prior to the vacancies' closing date.

Leonard Gilroy disclosed that he spoke to Cassie Bray Woo, Sigmund Popko and Aryeh Schwartz about the application process prior to the vacancies' closing date.

Justice Timmer disclosed that she ran into Aryeh Schwartz at the judicial conference and said hello.

Interview Questions

A motion to go to executive session for the purpose of selecting interview questions was made at 8:40 a.m. The motion was seconded and passed unanimously.

The Commission returned to public session at 9:12 a.m.

Due Diligence Reports

Commission members took turns to discuss the due diligence reports for all candidates in the order of the interview schedule.

Candidate Interviews

From 10:44 a.m. to 12:02 a.m. the Commission interviewed Melissa Iyer Julian, Julie Mata, Cassie Bray Woo, Joseph Kiefer, Aryeh Schwartz and Andrew Russell.

The Commission recessed for lunch at 12:03 p.m.

Justice Timmer called the meeting back to order at 1:05 p.m.

Candidate Interviews

From 1:07 p.m. to 3:31 p.m. the Commission interviewed Adele Ponce, Sigmund Popko, Scott Blaney, Nicole Brickner, John Blanchard, David Garbarino, Annielaurie Van Wie, Tracey Westerhausen and David Horowitz.

Discussion of Applicants and Interviews and Selection of Nominees

Justice Timmer reminded the Commission of the constitutionally required balance of political affiliations among nominees. She explained she would only vote on a candidate in the event of a tie.

The Commission discussed the interviews and the qualifications of the candidates in order of interviews. Justice Timmer suggested that a non-binding straw vote would be helpful to focus discussion and determine if any strong consensus existed on the potential nomination list. The results of the straw vote were:

John Blanchard – 4
Scott Blaney – 11
Cassie Bray Woo – 11
Nicole Brickner – 0
David Garbarino – 0
David Horowitz – 9
Melissa Iyer Julian – 7
Joseph Kiefer – 9
Julie Mata – 10
Adele Ponce – 11
Sigmund Popko – 10
Andrew Russell – 10
Aryeh Schwartz – 11
Annielaurie Van Wie – 10
Tracey Westerhausen – 8

Justice Timmer opened the floor for individual nominations to a non-binding list of nominees to be sent to the Governor.

Steve Perica moved to add Scott Blaney to the list. The motion was seconded and passed by a vote of 11-0-1 with Justice Timmer abstaining.

Paul Senseman moved to add Cassie Bray Woo to the list. The motion was seconded and passed by a vote of 11-0-1 with Justice Timmer abstaining.

Leonard Gilroy moved to add David Horowitz to the list. The motion was seconded and passed by a vote of 9-2-1 with Justice Timmer abstaining.

Stephen Silverman moved to add Melissa Iyer Julian to the list. The motion was seconded and passed by a vote of 9-2-1 with Justice Timmer abstaining.

Amanda Reeve moved to add Joseph Kiefer to the list. The motion was seconded and passed by a vote of 9-1-2 with Shawn Cox and Justice Timmer abstaining.

Barry Aarons moved to add Julie Mata to the list. The motion was seconded and passed by a vote of 10-1-1 with Justice Timmer abstaining.

Stephen Silverman moved to add Adele Ponce to the list. The motion was seconded and passed by a vote of 11-0-1 with Justice Timmer abstaining.

Leonard Gilroy moved to add Sigmund Popko to the list. The motion was seconded and passed by a vote of 10-1-1 with Justice Timmer abstaining.

Steve Perica moved to add Andrew Russell to the list. The motion was seconded and passed by a vote of 10-1-1 with Justice Timmer abstaining.

Barry Aarons moved to add Aryeh Schwartz to the list. The motion was seconded and passed by a vote of 11-0-1 with Justice Timmer abstaining.

Steve Perica moved to add Annielaurie Van Wie to the list. The motion was seconded and passed by a vote of 10-0-2 with Peggy Baze and Justice Timmer abstaining.

Stephen Silverman moved to add Tracey Westerhausen to the list. The motion was seconded and passed by a vote of 9-2-1 with Justice Timmer abstaining.

Barry Aarons moved to close nominations. The motion was seconded and passed unanimously.

The tentative list consisting of **Scott Blaney, Cassie Bray Woo, David Horowitz, Melissa Iyer Julian, Joseph Kiefer, Julia Mata, Adele Ponce, Sigmund Popko, Andrew Russell, Aryeh Schwartz, Annielaurie Van Wie** and **Tracey Westerhausen** was adopted as the final nomination list for submission to Governor Ducey.

Adjournment

Justice Timmer thanked the members for their service. A motion to adjourn was made at 5:07 p.m. The motion was seconded and passed unanimously.